

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
E/S Tulip Tree Court, 440 ft.
(+/-) N of Highville Road
13 Tulip Tree Court
15th Election District
5th Councilmanic District
Larry R. Long, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Sections 504 & 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and V.B.6.b of the Comprehensive Manual Development Process (CMDP) to permit a proposed rear deck to be located 5 ft. from the rear property line, in lieu of the permitted 11.25 ft., and to amend the last amended Final Development Plan for Goldentree, lot No. 60, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of May, 1992 that the Petition for a Zoning Variance from Sections 504 & 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and V.B.6.b of the Comprehensive Manual Development Process (CMDP) to permit a proposed rear deck to be located 5 ft. from the rear property line in lieu of the permitted 11.25 ft., in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall contact Mr. Pat Kincer of the Department of Recreation and Parks (887-3824) to have them establish boundary markers in order to avoid encroachment into the local open space area, per the Zoning Advisory Comments from the Office of Planning and Zoning dated May 6, 1992.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 28, 1992

Mr. and Mrs. Larry D. Long
13 Tulip Tree Court
Baltimore, Maryland 21221

RE: Petition for Residential Zoning Variance
Case No. 92-408-A

Dear Mr. and Mrs. Long:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 504-301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and V.B.6.b of the Comprehensive Manual Development Process (CMDP) to permit a proposed rear deck to be located 5 ft. from the rear property line, in lieu of the permitted 11.25 ft., and to amend the last amended Final Development Plan for Goldentree, lot No. 60, as more particularly described on Petitioners' Exhibit No. 1.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser(s):

(Type or print name)

(Signature)

Address

City

Attorney for Petitioner(s):

(Type or print name)

(Signature)

Address

Legal Owner(s):

LARRY R. LONG

DIANNA L. LONG

DIANNA L. LONG

DIANNA L. LONG

13 Tulip Tree Ct. 574-5443

Baltimore MD 21221

City

State, address and phone number of owner, contract purchaser or representative to be contacted

LARRY R. LONG

13 Tulip Tree Ct. 347-6686 (w)

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of May, 1992, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted with the following notice:

ORDER RECEIVED FOR FILING

Date 5/28/92

By [Signature]

ZONING COMMISSIONER OF BALTIMORE COUNTY



RECEIVED

DATE 5/28/92

ESTIMATED POSTING DATE 5/27/92

ESTIMATED CLOSING DATE

FORM #

AFFIDAVIT
IN SUPPORT OF ADMINISTRATIVE VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) hereunto consent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 13 TULIP TREE CT.
BALTIMORE MD 21221

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: petition hereto or posted notice:

TO BUILD A WOOD DECK WITHIN 11 1/4 FEET FROM THE REAR PROPERTY LINE. THE HOUSE WAS ORIGINALLY CONSTRUCTED TOO CLOSE TO THE REAR PROPERTY LINE TO PROVIDE ADEQUATE SPACE TO BUILD A DECK.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

LARRY R. LONG
DIANNA L. LONG

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27th day of May, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Maryland County of Baltimore Larry R. Long & Dianna L. Long

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of their/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires:

Sept 1, 1994

[Signature]

ZONING DESCRIPTION

BEGINNING AT A POINT ON THE EAST SIDE OF TULIP TREE CT.
(A 50 FT. RW) AT A DISTANCE OF 440 FT. NORTH OF
HIGHVILLE RD. (A 50 FT. RW) KNOWN AS LOT 60 IN THE
SUBDIVISION OF GOLDENTREE SECTION 2 ALSO KNOWN AS,
#13 TULIP TREE CT. IN THE 15TH ELECTION DISTRICT.

I ACCEPT THE RESPONSIBILITY FOR THE ACCURACY OF THIS
INFORMATION AS PROVIDED BY BALTIMORE COUNTY

[Signature]

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 5/28/92
Posted for: Variance
Petitioner: Larry & Dianna Long
Location of property: 13 Tulip Tree Ct., 440 ft. N of Highville Rd.
Location of Signs: 13 Tulip Tree Ct.
Remarks: Filing and posting of property of R. L. Long
Posted by: [Signature] Date of return: 5/28/92
Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date 5/04/92 Account: R-001-6150
Number H9200448
PAID PER HAND-WRITTEN RECEIPT DATED 4/28/92
PUBLIC HEARING FEES QTY PRICE
010 -ZONING VARIANCE (IRL) 1 X \$50.00
080 -POSTING SIGNS / ADVERTISING 1 X \$35.00
TOTAL: \$85.00
LAST NAME OF OWNER: LONG

Cashier Validation

Please Make Checks Payable To: Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 4/28/92 ACCOUNT: R-001-6150
RECEIVED BY: [Signature]

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

May 19, 1992

887-3353

Mr. & Mrs. Larry R. Long
13 Tulip Tree Court
Baltimore, MD 21221

RE: Item No. 448, Case No. 92-408-A
Petitioner: Larry R. Long, et ux
Petition for Administrative Variance

Dear Mr. & Mrs. Long:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
28th day of April 1992.

Carl Jablon
ARNOLD JABLON
DIRECTOR

Received By:
W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Larry R. Long, et ux
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Office of Planning and Zoning

DATE: May 6, 1992

SUBJECT: 13 Tulip Tree Court

INFORMATION: 498
Item Number: 498

Petitioner: Larry R. Long

Property Size: 6272 Square feet
Zoning: DR 5.5
Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The petitioner is requesting an administrative variance to permit a rear deck to be located 5' from the rear property line in lieu of the required 11.25'.

This deck will be located 5' from the local open space area which is adjacent to this property to the rear. If this administrative variance is granted then the property owners must contact the Department of Recreation and Parks and have them establish boundary markers in order to avoid encroachment into the local open space area. The contact person is Mr. Pat Kincer, with the Department of Recreation and Parks, 887-3824.

a:Long.txt
zac.txt

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: May 7, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: May 4, 1992

LEGAL OWNER: Larry Long 448

There are no comments for this site.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/dm

Department of Environmental Protection & Resource Management
Development Review Committee Response
Authorized signature: *R. Anne Kelly* Date: 5-11-92

Project Name: Rita L. Ruff #444
File Number: 5-4-92 NC
Zoning Issue: Jeffery W. And Charles H. Sheldon WC
Meeting Date: DED DEPRM RP STP TE
Eric and Patricia vanden Beemt WC
William R. And Carol L. Sturgeon in process
Larry R. And Dianna L. Long NC
Warren E. And Linda M. Downey NC
DED DEPRM RP STP TE #448
DED DEPRM RP STP TE #449

COUNT 10
FINAL TOTALS
COUNT 29
*** END OF REPORT ***

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

MAY 8, 1992 (301) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: LARRY R. LONG AND DIANNA L. LONG
Location: #13 TULIP TREE COURT
Item No.: 448(JLL) Zoning Agenda: MAY 4, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *CEP/REK* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

RECEIVED
MAY 11 1992
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 7, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for May 11, 1992
Item for L. Long and D. L. Long 448
#13 Tulip Tree Court

The Developers Engineering Division has reviewed the subject zoning item. The owner is cautioned that no permanent type structures are allowed within a Baltimore County easement.

Robert W. Bowling
ROBERT W. BOWLING, P.E. Chief
Developers Engineering Division

RWB:DAK:s

Department of Recreation and Parks
Development Review Committee Response
Authorized signature: *Walter P. Kelly* Date: 5/14/92

Project Name: 1500 Glencoe Road - Oldfields School, Inc. 432
File Number: CR-92-399-XA 4-27-92
Zoning Issue: STP DEPRM RP (To EIRD) No Comments

COUNT 1

✓ George Raduano And Elizabeth Raduano 5-4-92
DED DEPRM RP STP TE #440 No Comments
✓ Scripps Howard Broadcasting Company
DED DEPRM RP STP TE #441 No Comments
✓ Huntington Development Corporation (Hunting Tweed Drive)
DED DEPRM RP STP TE #442 No Comments
✓ Waldon J. And Margaret O. Stevanus
DED DEPRM RP STP TE #443 No Comments
✓ Rita L. Ruff
DED DEPRM RP STP TE #444 No Comments
✓ Jeffery W. And Charles H. Sheldon
DED DEPRM RP STP TE #445 No Comments
✓ Eric and Patricia vanden Beemt
DED DEPRM RP STP TE #446 No Comments
✓ William R. And Carol L. Sturgeon
DED DEPRM RP STP TE #447 No Comments
✓ Warren E. And Linda M. Downey
DED DEPRM RP STP TE #449 No Comments

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

April 30, 1992 (410) 887-3353

Larry R. And Dianna L. Long
13 Tulip Tree Court
Baltimore, Maryland 21221

Re: CASE NUMBER: 92-006-A
LOCATION: 825 Tulip Tree Court, 440' (+/-) S of Highville Road
13 Tulip Tree Court
15th Election District - 5th Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a referee regarding the administrative process.

1) Your property will be posted on or before May 11, 1992. The closing date is May 26, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioners. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases regarding public hearing (whether due to a neighbor's formal request or by Order of the Commissioners), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Lawrence E. Schlot
Lawrence E. Schlot
Zoning Commissioner, Baltimore County

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

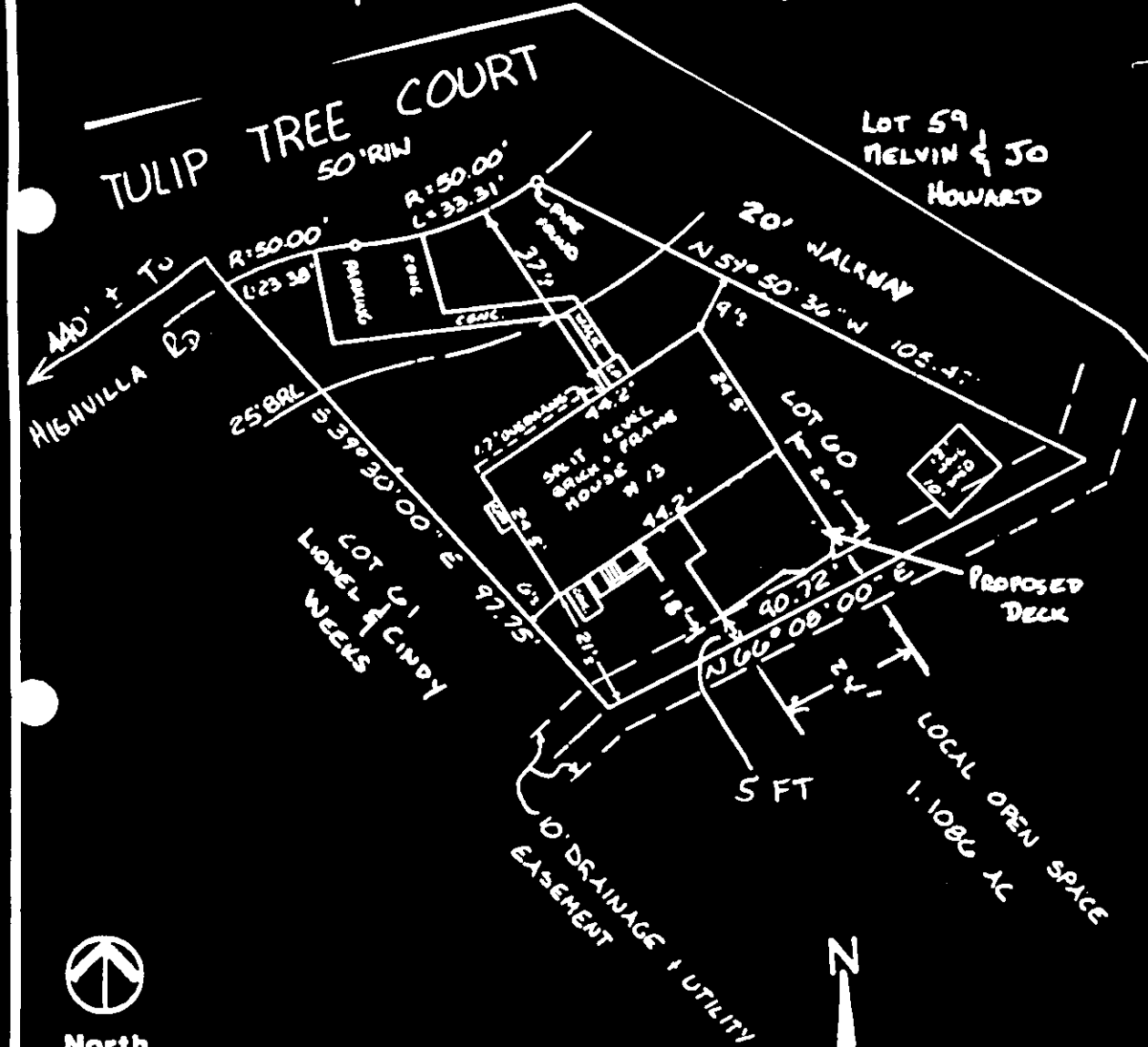
PROPERTY ADDRESS: 13 TULIP TREE CT

Subdivision name: COLONY HILL

plat book: 15, lot: 15, date: 10/10/00, section: 2

OWNER: LARRY R. & DIANNA L. LONG

92-408-A



North
date: 10/10/00
prepared by: LARRY R. LONG

Scale of Drawing: 1" = 30'



LOCATION INFORMATION

Councilman's District: 5
Election District: 15
1"=200' scale map: NE 4-G NE 4-H
Zoning: D. R. S. 5
Lot size: 1,440 square feet
Sewer: ☒ public ☐ private
Water: ☒ public ☐ private
Chesapeake Bay Critical Area: ☐
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

92-408-A

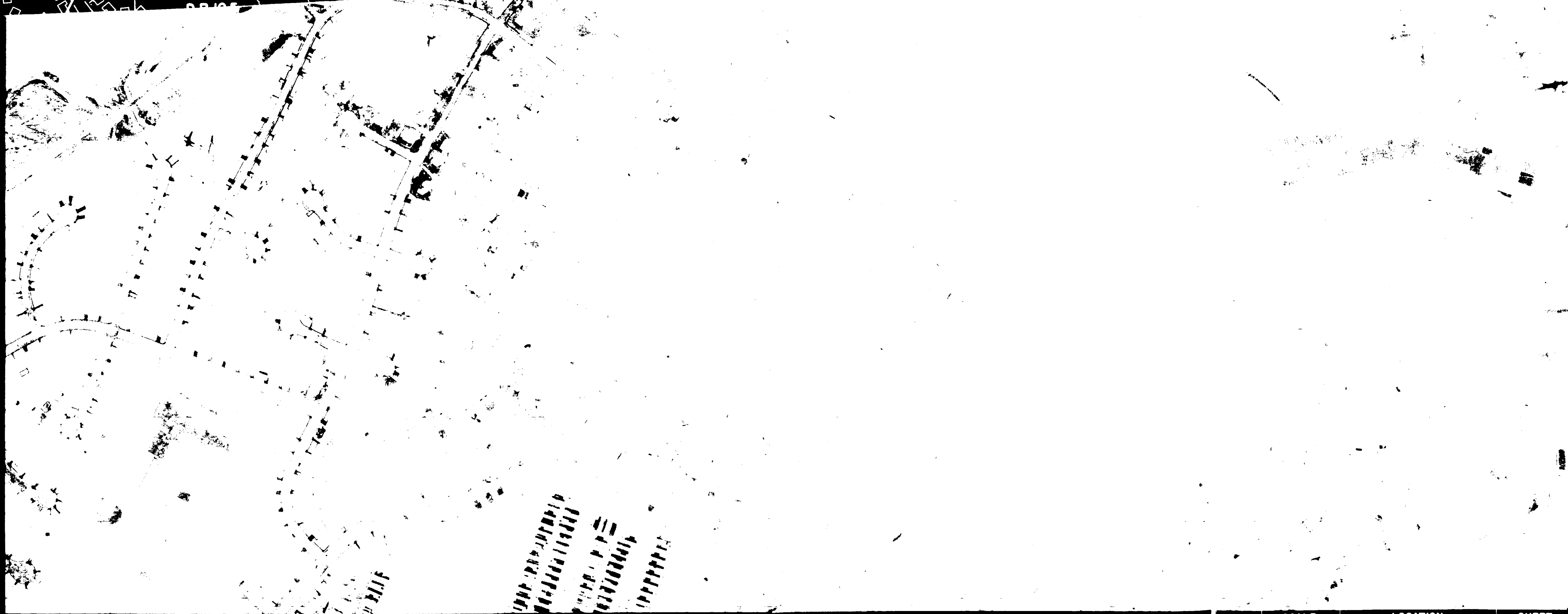
The Black Stakes represent the proposed deck outline.
The property is heavily wooded H.O.A.
The adjacent dwelling (w/ deck) is actually forward
of this dwelling (see 200 scale map). JFL

92-408-A

92-408-A



92-408-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE 1" = 200' ±	LOCATION MIDDLE RIVER	SHEET N.E. 4-H
DATE OF PHOTOGRAPHY JANUARY 1986		